

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

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|-----------------------------|---|----------------------|
| UNITED STATES OF AMERICA | § | |
| | § | |
| VS. | § | CRIMINAL NO. G-03-08 |
| | § | |
| LAWRENCE CHRISTOPHER MORENO | § | |


OPINION AND ORDER

Before the Court is a Report and Recommendation from the United States Magistrate Judge which recommends that the “ Motion to Eliminate Enhancements and Reduce Sentence” filed by Lawrence Christopher Moreno, be denied. No objections have been filed to the Report and Recommendation by Moreno.

The Court, upon *de novo* review, pursuant to 28 U.S.C. § 636(b)(1)(C), finds that the Report and Recommendation is a well reasoned and correct application of law to Moreno’ s motion and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

It is, therefore, the **ORDER** of this Court that the “ Motion to Eliminate Enhancements and Reduce Sentence” (Instrument no. 54) construed by this Court to be a Motion to Supplement Moreno’ s pending § 2255 Motion in an effort raise a “ Booker” claim is **DENIED**.

DONE at Galveston, Texas, this 1st day of March, 2006.



Samuel B. Kent
United States District Judge